



May 8, 2003

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attn: Art Unit 1765 - Examiner Kin Chan Chen

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

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SUBJECT: Serial #: 10/005,803
File Date: Dec. 5, 2001
Inventor: Hsin-Chang Shih
Examiner: Kin Chan Chen
Art Unit: 1765
Title: Dry-Wet-Dry Solvent-Free Process after Stop Layer Etch in
Dual Damascene Process

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated April 8, 2003. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on May 8, 2003.

Signature: 
Stephen B. Ackerman, Reg. No. 37,761

Date: May 8, 2003

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently claim 1 is generic.

The species stated are:

A. Applying an oxygen based plasma (e.g., N₂/O₂ based plasma or other O₂ based plasma); applying a DI water rinse; Applying a second plasma treatment, which reads on Claim 6, and

B. Applying a hydrogen based plasma (e.g., N₂/H₂ based plasma or other H₂ based plasma); applying a DI water rinse; Applying a second plasma treatment, which reads on Claim 8.

Applicant believes that in addition to Claim 1, Claims 2-5, 7 and 9-16 are also generic.

Applicant provisionally elects to be examined the species described by the Examiner as Group A. , which reads on Claim 6. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be

forced to bear if the two species are separately examined. Furthermore, the field of search must necessarily cover both species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'S' followed by a loop and a horizontal line extending to the right.

Stephen B. Ackerman, Reg. No. 37,761